

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

PILAR BELENDEZ-DESHA, on behalf of herself  
and all others similarly situated,

Plaintiff,

v.

JAF COMMUNICATIONS INC. d/b/a THE  
MESSENGER,

Defendant.

24-CV-00741 (MMG) (BCM)

**PROPOSED PRELIMINARY  
SETTLEMENT APPROVAL ORDER**

Upon the Joint Motion by Plaintiff Pilar Belendez-Desha (“Plaintiff”), on behalf of herself and certified class, and Defendant JAF Communications, Inc. d/b/a The Messenger (“Defendant” and together with Plaintiff and the class members, the “Parties”) in the above-captioned matter seeking preliminary approval of a settlement agreement and other related relief (the “Motion”); and the Court having considered the Motion and attached exhibits, the Settlement Agreement (“Settlement Agreement”) and the proposed Notice of Proposed Class Action Settlement (“Settlement Notice”);

IT IS HEREBY ORDERED THAT:

1. The settlement, as set forth in the Settlement Agreement, is preliminarily approved, subject to final approval at the fairness hearing;
2. The Court approves the proposed Settlement Notice.
3. Notice of the settlement to Class Members by first class mail, postage prepaid, at their last known address is reasonable and the best notice practicable under the circumstances and constitutes due and sufficient notice to all Class Members in full compliance with the notice

requirements of Civil Rule 23 and such mailing shall be made by Class Counsel within twenty (20) days of entry of this Order.

4. Within five (5) days after such mailing, Class Counsel shall serve and file a sworn statement affirming compliance with this Order concerning the mailing of the Class Notice.

5. Each Class Member will have thirty-five (35) days from the date on which the Settlement Notices are mailed (the “Notice Period”) to object to the Settlement.

6. Class Members must file with the Court any objection to the proposed settlement and mail the objection to Class Counsel and counsel to the Defendant at the addresses listed in the Class Notice, to be received by the Court and counsel (or, in the case of mailing, post-marked) no later than the end of the Notice Period.

7. No later than five days before Fairness Hearing, Class Counsel shall serve and file a sworn statement identifying any Class Member who timely objected to the proposed settlement.

8. The Court will conduct a **Final Approval Hearing on** **Tuesday, July 8**, **2025, at 9:30 a.m./p.m.** [at least 65 days from the date of this Order] to determine the overall fairness of the settlement, attorneys’ fees and costs to Class Counsel, and a service award to the Class Representative. The Final Approval Hearing may be continued without further notice to Class Members. **The Clerk of Court is respectfully directed to terminate Dkt. No. 47.**

**SO ORDERED.**

Dated: New York, New York

April 28, 2025



HON. MARGARET M. GARNETT  
UNITED STATES DISTRICT JUDGE